

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Master File Civil No. 97-2666 (JRT/RLE)

In re
GREEN TREE FINANCIAL CORP.
STOCK LITIGATION

Master File Civil No. 97-2679 (JRT/RLE)

ORDER DIRECTING FINAL
DISTRIBUTION OF REMAINING
SETTLEMENT FUND

In re
GREEN TREE FINANCIAL CORP.
OPTIONS LITIGATION

WHEREAS, Plaintiffs entered into a Stipulation of Settlement (“Stipulation”) with Defendants on August 19, 2003;

WHEREAS, the Court preliminarily approved the Settlement Agreement by Notice Order dated August 26, 2003;

WHEREAS, the Court granted final approval of the Settlement Agreement and Plan of Allocation by its Order for Final Judgment dated December 18, 2003, and dismissed this action as to all parties;

WHEREAS, the Court retained jurisdiction of all matters pertaining to the implementation and administration of the Settlement, including the payment of attorneys' fees, expenses, and settlement administration fees and costs, and the distribution of the Settlement Fund;

WHEREAS, the proceeds of the Settlement Fund have been distributed to all Claimants according to the terms of the Court's Order Directing Payment of Final Expenses of Settlement Administration and Distribution of Net Settlement Fund, dated October 27, 2005 (the "October 27, 2005 Order");

WHEREAS, Heffler Radetich & Saitta LLP, the Court-approved settlement administrator, has exhausted reasonable follow-up efforts regarding the uncashed distribution checks, and there is nothing further the settlement administrator can reasonably do to locate those Class members who have not cashed their checks;

WHEREAS, all uncashed distribution checks are well past their void date;

WHEREAS, a balance of \$24,990.47 remained in the Settlement Fund as of February 25, 2010, comprising the following amounts:

- a. Outstanding checks in the total amount of \$11,122.45;
- b. Voided checks in the total amount of \$3,116.40; and
- c. A balance of \$10,751.62 remaining in the interest-bearing reserve fund created pursuant to paragraph 4 of the October 27, 2005 Order for use by the settlement administrator, acting under the supervision of co-lead counsel, to correct any distribution deficiencies, to make equitable adjustments regarding claims, and to meet any unforeseen contingencies related to the distribution.

WHEREAS, paragraph 4 of this Court's October 27, 2005 Order provides that any amount remaining in the reserve fund, as well as any undistributable amount remaining in the Settlement Fund, shall be contributed to a non-profit organization of the Court's

choice having “a purpose as near as possible to the legitimate objectives underlying the lawsuit, the interests of the class members, and the interests of those similarly situated.”

In re Airline Ticket Comm’n Antitrust Litig., 307 F.3d 679, 682 (8th Cir. 2002).

IT IS HEREBY ORDERED:

1. The Motion for Order Directing Final Distribution of Remaining Settlement Fund is **GRANTED**.
2. The Settlement Administrator shall pay the entire balance of the Settlement Fund, which was \$24,990.47 as of February 25, 2010, to the following charitable organization chosen by the Court: The Housing Link, 1200 West Broadway Avenue, Suite 250, Minneapolis, MN 55411. The contact person is Andrew Rosen, President (612.520.9221).
3. Once the balance of the Settlement Fund has been paid as ordered, Heins Mills & Olson, P.L.C. shall notify the Court of that fact in writing and the Court’s file in this matter shall be closed. Until such time as the Court’s file is closed, the Court continues to retain jurisdiction with regard to all matters relating to the settlement implementation and administration.

IT IS SO ORDERED.

DATED: February 25, 2010
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge